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12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA
14

15 United States of America,
16 Plaintiff,
17 v.
18 Zachary Bales,
19 Defendant.
20

Case No. 2:23-cr-00196-RFB-NJK

Motion to Seal

21 Mr. Bales respectfully requests that the Court seal his Supplement to Motion
22 for Review of Magistrate Judge's Detention Order ("Supplement") because it contains
23 his sensitive medical information as well as information about his victimization as a
24 juvenile.
25

26 "Historically, courts have recognized a general right to inspect and copy public
27 records and documents, including judicial records and documents." *Kamakana v. City
and Cty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (internal quotation marks
and citation omitted); *see also Nixon v. Warner Commnc'ns Inc.*, 435 U.S. 589, 597
(1978). Nonetheless, the Court may limit public access on a showing of either good
cause or compelling reasons, depending on the circumstances. *Ctr. for Auto Safety v.*

1 *Chrysler Group, LLC*, 809 F.3d 1092, 1096 (9th Cir. 2016). Under the compelling
2 reasons standard, “a court may seal records only when it finds ‘a compelling reason
3 and articulate[s] the factual basis for its ruling, without relying on hypothesis or
4 conjecture.’” *Ctr. for Auto Safety*, 809 F.3d at 1096–97 (quoting *Kamakana*, 447 F.3d
5 at 1179). Under the good cause standard, the Court may “issue an order to protect a
6 party or person from annoyance, embarrassment, oppression, or undue burden or
7 expense.” *Id.*

8 Here, Mr. Bales satisfies both standards because he has compelling reasons for
9 the Supplement to be sealed. The Supplement discusses Mr. Bales’s sensitive
10 personal medical information as well as Mr. Bales’s history of victimization as a
11 juvenile.

12 Accordingly, Mr. Bales respectfully requests leave to file the Supplement to the
13 Motion for District Judge Review of Magistrate Judge’s Detention Order under seal.

14 Dated November 6, 2023.

15 Respectfully submitted,

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17 Rene L. Valladares
18 Federal Public Defender

19 /s/ Rick A. Mula

20 Rick A. Mula
21 Assistant Federal Public Defender

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24 IT IS SO ORDERED:

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27 RICHARD F. BOULWARE, II
United States District Judge
Dated 11/8/2023

CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that he is an employee of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on November 6, 2023, he served an electronic copy of the above and foregoing **MOTION TO SEAL** by electronic service (ECF) to the person named below:

JASON M. FRIERSON
United States Attorney
BIANCA R. PUCCI
Assistant United States Attorney
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Suite 1100
Las Vegas, NV 89101

/s/ Jeremy Kip

Employee of the Federal Public
Defender